

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DANIEL HIRAM GIBSON,
Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,
Defendant.

Case No. 2:13-CV-1908-APG-VCF

**Order Accepting Magistrate Judge's
Recommendation and Dismissing Case**

(Dkt. ##30, 32, 37)

DANIEL HIRAM GIBSON,
Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,
Defendant.

Case No. 2:13-CV-2271-APG-VCF

These consolidated actions involve plaintiff Daniel Hiram Gibson's appeal from defendant Carolyn W. Colvin's decision to deny social security disability benefits to Gibson. Gibson filed a motion to remand, which contained no factual recitation and no legal argument. (Dkt. #30.) Colvin opposed the motion to remand and cross-moved to affirm, arguing Gibson failed to provide any facts or argument and failed to demonstrate a basis to reverse the denial decision. (Dkt. #32.) Colvin also argued a review of the administrative record shows the denial decision was supported by substantial evidence and is free of legal error. Gibson filed a supplement consisting of receipts from a post office, correspondence from the State Department regarding a passport application, and documents related to child support payments. (Dkt. #12 in 2:13-CV-00271-APG-GWF.) Gibson filed a reply to his motion to remand which contained no facts or legal arguments. (Dkt. #33.)

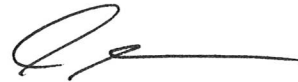
Magistrate Judge Ferenbach issued a Report & Recommendation recommending I deny Gibson's motion to remand because Gibson failed to file points and authorities in support of his

1 motion, the exhibits Gibson presented have nothing to do with the Social Security
2 Administration, and the administrative law judge followed the proper procedure and her decision
3 was supported by evidence. (Dkt. #37.) Gibson did not object to the Report & Recommendation.

4 Having reviewed the documents on file in both cases, I adopt the Report &
5 Recommendation, deny the motion to remand, and grant the cross-motion to affirm. Even though
6 Gibson did not object, I have conducted a de novo review of the issues pursuant to Local Rule IB
7 3-2. Judge Ferenbach's Report & Recommendation sets forth the proper legal analysis and the
8 factual bases for the decision. Therefore,

9 IT IS HEREBY ORDERED that Judge Ferenbach's Report & Recommendation (Dkt.
10 #37) is accepted, Plaintiff Daniel Hiram Gibson's Motion (Dkt. #30) is DENIED, Defendant
11 Carolyn W. Colvin's Cross-Motion (Dkt. #32) is GRANTED, the administrative law judge's
12 decision is affirmed, and this case is DISMISSED. The clerk of the court shall enter Judgment
13 accordingly in both cases.

14 DATED this 11th day of December, 2014.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE